

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION**

UNITED STATES OF AMERICA,

v.

GREGORY BERNARD REESE,

Defendant.

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CASE NO.: 1:12-CR-32 (WLS)

ORDER

Before the Court is Defendant Gregory Bernard Reese's Petition for Furlough (Docs. 39, 40.) Defendant seeks furlough on Saturday, August 10, 2013, for the purpose of attending his great, great uncle's funeral. (Doc. 32.) This petition must be denied.

The Court sentenced Reese on July 23, 2013 (Doc. 27), and a district court's jurisdiction post-sentencing is narrowly limited by statute, *United States v. Phillips*, 597 F.3d 1190, 1194–95 (11th Cir. 2010). Reese has not identified any authority allowing a district court to order the Bureau of Prisons post-judgment to permit a defendant to take a furlough. To the contrary, although 18 U.S.C. § 3622 provides that the "Bureau of Prisons may release a prisoner from the place of his imprisonment for a limited period," it provides no provision for a district court to do the same. *See* 18 U.S.C. § 3622. "Once a defendant has been sentenced and any appeal has been exhausted . . . the authority to release an incarcerated defendant rests with the Bureau of Prisons." *United States v. Larsen*, No. 1:05-cr-62-JAW, 2013 WL 448761, at *3 (D. Me. Feb. 6, 2013); *see also Santos v. United States*, No. 12-CV-4836 (DLI), 2013 WL 1952509, at *1 (E.D.N.Y. May 10, 2013) ("[T]here is no constitutional right to a furlough, and the sole authority to grant an inmate's request for a furlough is with the warden of the institution in which

the inmate is incarcerated.”); *United States v. Grass*, 561 F. Supp. 2d 535, 537–38 (E.D. Pa. 2008) (finding court lacked authority to recommend furlough to BOP after judgment).

For those reasons, Reese’s petition (Docs. 39, 40) is **DENIED**.

SO ORDERED, this 8th day of August 2013.

/s/ W. Louis Sands

**THE HONORABLE W. LOUIS SANDS,
UNITED STATES DISTRICT COURT**